

transmittal of legislative recommendations by executive branch officials to the Congress, in a manner consistent with the President's constitutional authority to recommend such measures to the Congress as he deems necessary and expedient.

Several provisions of the bill relate to race or ethnicity. The executive branch shall construe such provisions in a manner consistent with the requirement that the Federal Government afford equal protection of the laws under the Due Process Clause of the Fifth Amendment to the Constitution.

George W. Bush

The White House,
November 10, 2005.

NOTE: H.R. 2744, approved November 10, was assigned Public Law No. 109-97. This item was not received in time for publication in the appropriate issue.

**Memorandum on Determinations
Under Section 1106(a) of the
Omnibus Trade and Competitiveness
Act of 1988—Kingdom of Saudi
Arabia**

November 10, 2005

*Memorandum for the United States Trade
Representative*

Subject: Determinations under Section 1106(a) of the Omnibus Trade and Competitiveness Act of 1988—Kingdom of Saudi Arabia

The Kingdom of Saudi Arabia (Saudi Arabia) is seeking to become a Member of the World Trade Organization (WTO). Saudi Arabia has concluded a bilateral agreement with the United States related to Saudi Arabia's accession to the WTO. Saudi Arabia's commitments under this bilateral agreement with the United States ensure: (1) that all state trading enterprises, as defined in section 1107(6) of the Omnibus Trade and Competitiveness Act of 1988 (the "Act") (19 U.S.C. 2906(6)), will make (a) purchases that are not for government use and (b) sales in international trade, in accordance with commercial considerations, including price, quality, availability, marketability, and transpor-

tation, and (2) that such state trading enterprises will afford U.S. business firms adequate opportunity, in accordance with customary practice, to compete for such purchases and sales.

In accordance with section 1106(a)(1) of the Act (19 U.S.C. 2905(a)(1)), I determine that state trading enterprises account for a significant share of the exports of Saudi Arabia and the goods that compete with imports into Saudi Arabia. Further, I determine that, based on the bilateral agreement that Saudi Arabia has entered into with the United States, information provided and commitments set forth in the Report of the Working Party on the Kingdom of Saudi Arabia's Accession to the WTO, and other information considered in connection with Saudi Arabia's WTO accession negotiations including information in the United States National Energy Policy report, an affirmative determination under section 1106(a)(2) is not warranted.

The determinations under section 1106(a) are intended solely to further the purpose of section 1106 and are not determinative for the purpose of any other statute or regulation.

You are directed to publish this memorandum in the *Federal Register*.

George W. Bush

NOTE: This item was not received in time for publication in the appropriate issue.

**Message to the Senate Transmitting
Protocol Amending the Sweden-
United States Taxation Convention**

November 10, 2005

To the Senate of the United States:

I transmit herewith for the advice and consent of the Senate to ratification, a Protocol Amending the Convention Between the Government of the United States of America and the Government of Sweden for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income signed at Washington on September 30, 2005 (the "Protocol"). Also transmitted for the information of the Senate is the report of the Department of State with respect to the Protocol.

The Protocol eliminates the withholding tax on certain cross-border dividend payments. The proposed Protocol is one of a few recent U.S. tax agreements to provide for the elimination of the withholding tax on dividends arising from certain direct investments. In addition, the Protocol also modernizes the Convention to bring it into closer conformity with current U.S. tax-treaty policy, including strengthening the treaty's provisions preventing so-called treaty shopping.

I recommend that the Senate give early and favorable consideration to this Protocol and that the Senate give its advice and consent to ratification.

George W. Bush

The White House,
November 10, 2005.

NOTE: This item was not received in time for publication in the appropriate issue.

**Remarks at a Dinner Celebrating the
40th Anniversary of the National
Endowment for the Arts and the
National Endowment for the
Humanities**

November 10, 2005

Good evening, and welcome. Laura and I are really happy you're here. We meet tonight to celebrate the 40th anniversary of both the National Endowment for the Arts and the National Endowment for the Humanities.

We especially welcome NEA Chairman Dana Gioia and NEH Chairman Bruce Cole. And we'd like to recognize their outstanding contributions to our Nation's arts and humanities. Dana and Bruce are both distinguished scholars and authors, and under their visionary leadership, America's programs to support the arts and humanities have continued to enrich our Nation's cultural and civic life.

I also want to recognize a former head of the NEH, Lynne Cheney, and her husband. *[Laughter]*

It's also my honor to welcome Lynda Robb, whose dad had the wisdom to start both these programs. Welcome.

Over the last 40 years, the National Endowment for the Arts and the National Endowment for the Humanities have strengthened our democracy by supporting our Nation's ideals, institutions, and emerging talents. The NEA has provided support for music and dance, theater, and the arts across our great country. It has helped improve public access to education in the arts, offered workshops in writing, and brought artistic masterpieces to under-served communities.

At the same time, the NEH has done important work to preserve America's cultural treasures. And it has helped introduce millions of Americans to award-winning books, documentaries, and museum exhibitions.

These two institutions also help support the arts and humanities by encouraging great talent. This morning I awarded the National Medal of Arts and the National Humanities Medal to men and women who have made exemplary contributions to our Nation's art, culture, and scholarship. Each medal winner has helped define our era. Each has excelled and demonstrated originality, endurance, and self-discipline. And together, their creativity inspires our students and elevates our culture and enriches our nation. Congratulations to you all.

President Franklin Roosevelt once said that free nations gain new responsibilities when other countries try to turn back the clock of civilization by burning libraries and exiling their artists and thinkers. Free nations, he said, have an obligation to keep the torch of free thought and free learning burning bright.

America is a country where the light of freedom does burn bright, and by supporting our artists and scholars, we help inspire those who do not yet enjoy freedom. We defend creativity and expression because we value a free and open society. And our actions set an example for the entire world. And so, tonight I offer a toast to the brightest lights of American creativity, men and women who entertain us, inform us, and inspire us.

NOTE: The President spoke at 7:44 p.m. on the State Floor at the White House. In his remarks, he referred to Lynda Johnson Robb, daughter of former President Lyndon B. Johnson. This item was not received in time for publication in the appropriate issue.